

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

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|----------------------------------|---|-----------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:09CR81 |
| |) | |
| vs. |) | ORDER |
| |) | |
| KENNY DOFNER, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on the motion for a review of the detention order by defendant Kenny Dofner (Dofner) (Filing No. 114). Dofner seeks release to the Stephen Center for substance abuse treatment.

Dofner's criminal history involves offenses of violence, failure to appear, non-compliance with parole provisions, and controlled substance violations. He has twice been provided substance abuse treatment in the past and has failed to maintain sobriety. The defendant was involved in an attempted home invasion in order to steal controlled substances. Dofner's proposal for treatment at the Stephen Center does not reasonably assure the safety of the community or Dofner's presence for further proceedings in light of Dofner's prior record and circumstances of the present offense as described in the detention hearing.

Dofner's motion for review of the detention order (Filing No. 114) is denied.

IT IS SO ORDERED.

DATED this 1st day of June, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge